

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MURUGANANANDAM ARUMUGAM,

Defendant.

Case No. CR19-041-RSL

ORDER GRANTING
UNOPPOSED MOTION TO
CONTINUE TRIAL AND
PRETRIAL MOTIONS DUE
DATE

This matter comes before the Court on defendant's "Unopposed Motion to Continue Trial and Pretrial Motions Deadline" (Dkt. # 178). Having considered the facts set forth in the motion, and defendant's knowing and voluntary waiver (Dkt. # 179), the Court finds as follows:

1. The Court adopts the facts set forth in the unopposed motion: in particular, defendant has filed a timely notice of appeal with the goal of obtaining a new trial regarding a related conviction in Washington State court. If defendant's state conviction is overturned, this will be relevant to his motion to exclude prior bad acts evidence pending before this Court. Defendant's state court conviction will not be final prior to defendant's current trial date. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The Court finds that a failure to grant a continuance would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL - 1

5. Defendant has signed a waiver indicating that he has been advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived that right and consented to the continuation of his trial to a date up to and including August 31, 2023, Dkt. # 179, which will permit his trial to start on July 10, 2023.

IT IS FURTHER ORDERED that the period of time from the current trial date of February 13, 2023, up to and including the new trial date, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

Robert S. Lasnik
Robert S. Lasnik
United States District Judge